

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JERRY A. SPRINGER,

Petitioner

v.

JOHN KERESTES, *et al.*,

Respondents

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CIVIL NO. 1:CV-07-2126

(Judge Rambo)

ORDER

IT IS HEREBY ORDERED THAT:

1) The Clerk of Court is directed to serve a copy of the petition and this order by certified mail on the District Attorney of Potter County, Pennsylvania, and on the Respondents named therein.

2) Within twenty (20) days of the date of this Order, Respondents shall answer the allegations in the petition for writ of habeas corpus. Consistent with Rule 5 of the Rules Governing § 2254 Cases in the United States Courts, the answer shall:

- (a) state whether any claim in the petition is barred by a failure to exhaust state court remedies, a procedural bar, non-retroactivity, or a statute of limitation;
- (b) be accompanied by those portions of any transcripts the Respondents deem relevant to disposing of the claims raised in the petition;
- (c) indicate what other proceedings that might be relevant to the petition have been recorded but have not yet been transcribed;

- (d) be accompanied by copies of any of the Petitioner's briefs on appeal, either from the judgment of conviction or from an adverse decision in a post-conviction proceeding; copies of any opinions and dispositive orders of the appellate courts relating to the conviction or the sentence; any PCRA petitions; and any brief that the prosecution submitted in an appellate court relating to the conviction or the sentence.

3) Respondents shall file a memorandum of law with the answer. The memorandum shall set forth the relevant facts and procedural history of the case, a recommended disposition of the petition, and citations to pertinent case law.

4) A determination whether Petitioner should be produced for a hearing will be held in abeyance pending submission of a response.

5) Petitioner shall, if he so desires, file a reply brief within fifteen (15) days of the filing date of the Respondents' filings.

S/Sylvia H. Rambo
Sylvia H. Rambo
United States District Judge

Dated: January 4, 2008.